

***Special Education Advisory Panel  
Minutes  
June 26-27, 2003***

**June 26, 2003**

**Members Present**

Mike Hanrahan  
Eileen Huth  
Dennis Gragg  
Scott Mantooth  
Trish Grassa  
Pat Jackson

Dennis Von Allmen  
Joe Sartorius  
Richard Staley  
Patti Simcosky  
Sandra Levels  
Lynda Roberts

Kent Kolaga  
Deana O'Brien  
Eric Remelius  
Barbara Scheidegger  
Pam Walls

**DESE Staff Present**

Debby Parsons

**Members Not Present**

Dan Colgan  
Melodie Friedebach

Cathy Meyer  
Stephen Viola

Ray Wicks  
Joan Zavitsky

**Guests**

Suzanne Brown  
Rebecca Clymore

**Call to Order/Approval of Minutes** - Mike Hanrahan called the meeting to order at 1:00 p.m.

Kent Kolaga indicated that the changes made to the February minutes should be listed in the April minutes.

Kent asked who the person was that was mentioned in the April minutes in the DESE Update section that requested geographical data and what was it regarding. Pam Walls indicated that she had requested geographical data on free and appropriate public education (FAPE) and least restrictive environment (LRE). She was wanting to review data on where the different types of disabilities are located, race, population, age, etc. The Data Coordination Section (Mary Corey, Director) would be able to provide this information.

Deana O'Brien indicated that she was present at the meeting on April 4 but it had been listed as absent in the minutes.

Also, in the April minutes in the Membership Section it should to be clarified that Eileen Huth was asking about switching from the "Parents of a child with disability" category to the "Teacher" category within the Special Education Advisory Panel.

Kent made a motion to approve the minutes as corrected. Joe Sartorius seconded. Motion passed.

**Formal Recommendation Review/Update**

#3 - No response from DESE at this time.

#6 - (see handout) This is a rewrite of the original formal recommendation.

#7 - (see handout)

**OSEP Conference Update** – Kent Kolaga and Melodie Friedebach attended the OSEP Leadership Conference in May. Kent indicated that the orientation for special education panel members was basically the same as what Mike Hanrahan had reported last year. If interested in reviewing the information, contact Kent. OSEP also invited representatives from the Parent Training Centers. Big issues included reauthorization and NCLB and how to dovetail the two – OSEP did not have specific answers. Kent noted that concerns included (1) if a school does not have adequate yearly progress for two years, children may have a choice of a different school; (2) choices for students with disabilities may differ from those of children without disabilities.

Pam Walls shared information she received regarding the Summary of IDEA Senate Bill Introduced on June 12, 2003, from the National Association of Protection and Advocacy Systems (NAPAS). The document summarized changes in the following areas: IEP, State Sovereign Immunity, Due Process, Funds to F&As or Other Legal Organizations, Monitoring and Enforcement, Discipline, and Transition/Rehab Act. Items not included were 10 State Paperwork Waiver, Discussion of Full Funding, Attorney Fees, and Service Provider Advocacy Procedures. For a copy of the information, contact Pam Walls.

Deana O'Brien attended the IDEA summit in DC last week (IDEA Partnership sponsored by the Department of Education) and found it interesting. It was a unique approach that brought stakeholders together (education agencies, state departments, education agencies (LEAs), advocates, and researchers). It was a collaboration between IDEA, Title I, and NCLB. She will give the information she received to the standing committees for their review.

The Discover IDEA CD 2002 is available from OSEP. The results from every project that OSEP and the Department of Education has funded are on this CD or via a web link on the CD. The OSEP website can be accessed through the Division of Special Education's website.

**CIMP Update** (Debby Parsons, Deana O'Brien, Lynda Roberts)

Debby Parsons indicated that the Division is working on the report. There were two groups (achievement and transition) that met. GLARRC took each group through a process that zeroed in on the barriers and strategies and created a written product that was available at the end of each meeting. GLARRC pulled copies of improvement plans from other states for Missouri to review. Debby brought copies for Panel members to review. The reports appeared to be only compliance oriented. DESE is using the format that OSEP created with broad strategies. Division staff are looking at using project management software to assist in managing this improvement process.

Achievement – The group spent a lot of time discussing teacher certification issues for special education and regular education teachers. The group also several other topics some of which included: instruction time, data based decision making, making training more accessible (web based online instruction), training in differentiated instruction, teacher preparation programs, promoting parent participation, public awareness campaigns, etc. They used information from these discussions as the basis for developing their improvement plan.

Teacher and Urban Education recently held some summits around the state that dealt with minority issues. They found they had many of the same issues that we did when we went through our process. They developed a plan that was submitted to the State Board at their

June meeting. They also indicated that they would like to meet with Division staff to work collaboratively at reviewing these issues.

The improvement plan will include overall targets and benchmarks. Will not be setting a lot of different targets and benchmarks. The yearly progress piece will be tied in with NCLB and will set benchmarks for 2005 and 2008 instead of yearly.

Eric Remelius indicated that he was surprised at how effective the process was. He felt there could have been more participants involved to give a better cross-section of representatives from the state. He also felt that many of the strategies are not going to be an end-all, need to find those large challenging changes and not just tweak the system.

Joe Sartorius was concerned about how to give teachers more time to teach but also allow more time for professional development for teachers. Debby Parsons indicated that DESE needs to do a study to find out how much time teachers are spending doing paperwork, instruction, evaluations, etc? The state guidelines for teachers may need to be revised (not revised since late 1980s).

Transition – The group discussed several topics, some of which included: strong need for administrative support, differences between the two urban areas, need to work with independent living centers, dissemination of information, work with higher education to develop ways of imbedding information into their coursework, follow-up of dropouts, collaboration with MSIP, making sure teachers and districts are aware of what data is available to them, student directed IEPs, and providing professional development in alternate forms.

**Panel Attendance** – Mike Hanrahan indicated that Janet Jacoby and Steve McDannold have resigned their memberships. Mike also indicated that some Panel members have not been attending Panel meetings regularly and were in violation of the bylaws. Letters have been sent to those individuals terminating their membership.

**Election of New Officers** – The nominations committee announced the nominees for each of the officer positions. Elections will be held at the end of tomorrow's meeting.

<u>Chair</u>	<u>Vice Chair</u>	<u>Secretary</u>
Joe Sartorius Kent Kolaga	Joe Sartorius Kent Kolaga Lynda Roberts Pam Walls Deana O'Brien Ray Wicks Steve Viola	Kent Kolaga Lynda Roberts Pat Jackson Eileen Huth

Pam Walls made a motion to adjourn the meeting. Deana O'Brien seconded. Meeting was adjourned at 3:30 p.m.

### **June 27, 2003**

#### **Members Present**

Mike Hanrahan

Pam Walls

Eileen Huth

Dennis Gragg  
Scott Mantooth  
Trish Grassa  
Joe Sartorius

Kent Kolaga  
Pat Jackson  
Lynda Roberts  
Dennis Von Allmen

Deana O'Brien  
Barbara Scheidegger

### **DESE Staff Present**

Debby Parsons  
Dale Carlson

### **Members Not Present**

Richard Staley  
Pattie Simcosky  
Sandra Levels  
Eric Remelius

Dan Colgan  
Melodie Friedebach  
Cathy Meyer  
Stephen Viola

Ray Wicks  
Joan Zavitsky

### **Guests**

Suzanne Brown  
Rebecca Clymore

**Call to Order/Approval of Minutes** - Mike Hanrahan called the meeting to order at 8:45 a.m.

### **Committee Reports**

Rules and Regulations (Joe Sartorius) - Joe indicated that they had three things they reviewed.

- Reauthorization of IDEA concerned with house and senate's position on the manifestation hearings (due process takes place). Want to make sure that the manifestation process is kept in place - they will watch it.
- Proposed amendment for teacher certification. They were concerned that districts could advertise for speech/language teachers at a very low salary. Then if unable to hire someone they could then hire someone with a temporary certificate at a lower salary – saving the district money – they will watch this.
- Information from the IDEA Summit that Deana O'Brien attended. Want to investigate what type of financial support the U. S. Department of Education would be willing to assist with. Would this benefit Missouri.

Joe indicated that they had been using email to send out information. They liked being able to have time to meet the first day of each meeting.

Evaluation (Lynda Roberts) – Their work plan includes (1) reviewing required data and reports, (2) reviewing data and reports towards/for CIMP process, (3) work for public awareness/use of the data collected, (4) view data/reports with “an eye” toward the annual report, and (5) assist with putting together the annual report for the Advisory Panel.

The committee discussed the annual report. Topics included (1) recommended no more than five years of annual reports be viewable on the web, (2) recommended opportunity for public feedback on the web – but feedback no available for public view, (3) how many copies printed for the current 2001-02 publication, (4) how/where disseminated?

Debby Parsons indicated that in the past the annual report would be prepared and sent to the Commissioner. He would then respond to the recommendations. But with the formal

recommendations process, the Panel is making recommendations and is receiving response from DESE continually. Debby stated that individuals could review the annual reports and send comments to DESE. DESE would route those comments to the Evaluation Committee. DESE could add a paragraph to the web page indicating this.

It was also suggested that the annual report could be sent to PTO and PTA presidents.

The committee had some questions (1) What new data/reports are necessary for CIMP? (2) What new data/reports are necessary for the “Missouri Improvement Planning for Increasing Achievement by Grades 3 & 4?” (3) What new data/reports are necessary for the “Missouri Improvement Planning for Increasing Post-Secondary Outcomes for Students with Disabilities?”

Debby indicated that the project management software that the Division is planning to use will be able to prepare reports and status at any time. MAP data is received in August. Drop out and graduation data is reported in June.

State Plan update – Debby indicated that DESE has made all the required changes and are discussing some additional changes.

Monitoring (Kent Kolaga) – Kent indicated that they looked at two things.

- The committee reviewed the benchmarks indicated in the improvement plan (goals DESE wants to achieve for achievement and transition) and believes that DESE is okay for now. The committee did have concerns with the achievement goals. They felt that even though the goals push to bring students with disabilities to the level where all students presently are, the goals for the regular education students could be raised higher by that time. The committee also expressed concerns with the transition goals – the levels of achievement are still below what all students are at now. The committee will continue to monitor.
- The committee also discussed the need to identify students with disabilities in city and county jails. The Compliance Section has looked at convening a group of stakeholders, special education directors, law enforcement, etc. to discuss this. One issue is that districts submit their monitoring self-assessment in April but by the time they have their MSIP, those students may no longer be there. Could ask that districts report what their procedures are for locating kids in city and county jails along with their self-assessment for MSIP. The school district would be responsible for providing homebound services to students that are in city and county jails. Many times services are not provided because the district does not know the student is there but also in some cases the city and county jail does not allow services to be provided. Students that are in detention facilities are usually reported to districts and they are aware they are there. Not all students receive a juvenile or parole officer. There needs to be better communication between the school and juvenile facilities. Could send information through the Missouri Sheriff's Association. The Missouri Juvenile Justice Association would also be a good resource for information (Julie Cole-Agee, contact). They will continue to monitor this.

Programs (Dennis Gragg) - Dennis commented that their committee has been using email to communicate between meetings. The committee would like to meet with staff from Effective Practices (EP) twice a year. Also indicated that the EP section is responsible of a wide range of activities and the committee is trying to get a complete understanding of what those activities include. The committee will be asking the EP Section for information on current focus issues, issues they are currently working on especially things having to do with publications that are being disseminated. The committee would like to provide feedback. At the next Panel meeting, the

committee and staff from EP would like to meet to discuss parent communications, transition, etc. Looking forward to have a good partnership – working relationship with the EP section.

A suggestion was made that the Panel needs to keep a record of the recommendations that are made by each of the committees. Since new members are required to serve on a committee, it could assist them by being able to review past recommendations and to know the status of the committees. Mike also indicated that further discussion should be given to providing new member orientation.

**Public Comment** –Rebecca Clymore was invited by Mike Hanrahan to attend the Panel meeting. Rebecca indicated that she is a licensed clinical social worker in private practice. She helped to develop policy as part of her work in Kansas. She has done research on how other states run foster programs, juvenile justice programs, and at-risk programs. In private practice, she worked in four counties in rural Missouri (Cameron) that have never had services before. She indicated that there are children with disabilities with unmet needs not receiving services in school. Some districts do not realize that they can meet the needs of these children because their districts are so small. She assists parents and attends IEP meetings with them. She has found that districts handle children with disabilities differently. If you take one child with the same assessments to multiple districts, you will get different ways to serve the child. Districts do not want to evaluate children. She wants DESE to be aware of these issues. The child complaint system is not reflective of the problems that are out there. She felt that early identification would solve a lot of the problems.

Dennis Von Allmen indicated that he has seen this as well especially in rural areas. There is a distinct difference between rural and urban areas of the state. He indicated that he has served on other statewide committees that actually hold hearings for public comments. Would the SEAP be interested in doing something like that and how would the Panel go about doing it? What committee would oversee this? Deana O'Brien indicated that during testing certain tests are given but districts use the combined test scores which make it appear the student does not need any further retesting and does not need special education instead of looking at the subtest scores which would show that further testing is needing. When a complaint is filed, DESE contacts the district and asks for documentation and that the parent should be then contacted again. There is an issue of retaliation.

Kent Kolaga indicated that there have been references to early intervention services. He asked Rebecca if these children's needs were identified and addressed earlier would that minimize the problems? She indicated that many parents realize the need for services for their children when their children reach second grade because the child is not reaching established milestones. There needs to be one system of learning for all children and not two separate systems for children (one for regular education and one for special education).

Debby Parsons commented that there appears to be a gap of children that do not qualify for special education and that DESE is working with CISE to try and target regular education teachers and assist them in identifying what alternatives could be used to teach children. Another issue is the evaluation piece. This could be an issue that one of the committees review or it could be something that could be reported to the Panel on.

Dennis Von Allmen made a motion that the incoming chairperson appoint a committee to review and recommend back to the full Panel, methods by which the Panel may obtain public comments concerning unmet needs within the state. Kent Kolaga seconded the motion. Motion passed.

No Child Left Behind (NCLB) is making districts accountable for all kids. Achievement needs to be there for all kids. The requirements are out there, the Panel needs to try and assist with this process.

Rebecca felt that there is no tracking of home-schooled children. Many children are being removed from the school and are not being home schooled and no one will ask questions or check on the student's progress. This issue needs to be addressed.

Deana O'Brien indicated that if a family pulls a special education student out of school to home school, and the district feels that the child is being educational neglected that can contact DFS to investigate.

Rebecca handed out information about individual cases (she will email that information to Lina who will disseminate to Panel members).

**DESE Update** - Debby indicated that the Division is having some staffing shortages. The Compliance Section is reviewing district self-assessments and are developing the monitoring schedule which should be ready around the first of August. Working heavily on Part C, the last round of SPOEs went online the first part of March (system for children birth to age three). Effective Practices staff are working on contracts for the major technical assistance centers, working with RPDCs to have special education consultants. The Division is working on the improvement planning pieces.

Dale Carlson indicated that education across the board is taking a beating. There could also be some problems with maintenance of fiscal effort for the state operated programs for FY 04. Education is struggling to keep the funding flow up there and is not doing a good job. The Department is hopeful that the Governor will sign something so that we can begin to do some planning.

**Member Reports/Miscellaneous Discussion** – It was suggested that the Panel stay with the two-day format for the meetings so that the subcommittees could have an opportunity to meet. Next meeting is scheduled for September 25-26, 2003. Bring calendars to the September meeting to assist in planning future meetings.

Deana O'Brien indicated that during the last three weeks of the school year she was contacted by several families (all from different schools) of children identified as mentally retarded and in some cases with Downs Syndrome. The families were informed by their school district that their children would be attending the local state school in the fall. The ages of these children ranged from 5-12. The families disagreed with these decisions. This needs to be included into what the committee is able to review to try and determine if there is a systemic issue causing this trend.

Debby Parsons indicated that a district can refer children for state schools but that the state school must determine if the child is eligible. Parents do have the right to file due process if they disagree with the placement.

Mike thanked the Panel for the opportunity to serve as chair and indicated that Melodie and Debby have been very helpful to him.

**Election of Officers**

Chair – Joe Sartorius

Vice Chair – Kent Kolaga

Secretary – Eileen Huth

Joe Sartorius made a motion to adjourn the meeting. Pam Walls seconded. Meeting was adjourned at 12:00 p.m.